

House Study Bill 255 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
CHAIRPERSON SODERBERG)

A BILL FOR

1 An Act relating to and making appropriations for a period of
2 short duration beginning July 1, 2015, providing for related
3 legal and other matters, and including effective date and
4 retroactive applicability provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. FISCAL YEAR 2015-2016 TEMPORARY APPROPRIATIONS.

2 1. APPROPRIATIONS DETERMINED FROM ENROLLED BILLS. The
3 department of management, in consultation with the legislative
4 services agency, shall determine the amount of all line
5 item appropriations, standing limited appropriations, and
6 standing unlimited appropriations otherwise limited by law,
7 including appropriations from federal and nonstate funds, made
8 for the fiscal year beginning July 1, 2015, and ending June
9 30, 2016, by bills passed by both the senate and the house
10 of representatives during the 2015 Regular Session of the
11 Eighty-sixth General Assembly and enrolled for presentation
12 to the governor, as affected by any applicable provision of
13 law. The department of management, in consultation with the
14 legislative services agency, shall also identify the entities
15 to which such appropriations are so made.

16 2. TEMPORARY APPROPRIATIONS. There is appropriated
17 from the appropriate state fund or account to the entities
18 identified pursuant to subsection 1, for the period beginning
19 July 1, 2015, and ending July 31, 2015, amounts, or so much
20 thereof as is necessary, equal to one-twelfth of the amounts of
21 all line item appropriations, standing limited appropriations,
22 and standing unlimited appropriations otherwise limited by law,
23 including federal and nonstate funds, made for the fiscal year
24 beginning July 1, 2015, and ending June 30, 2016, as determined
25 pursuant to subsection 1.

26 3. CARRYFORWARDS TEMPORARILY SUPPLANTED. The amounts
27 appropriated under subsection 2 shall supplant, for only the
28 period beginning July 1, 2015, and ending July 31, 2015, any
29 appropriations carried forward from any previous fiscal year
30 into the fiscal year beginning July 1, 2015, and ending June
31 30, 2016.

32 4. TEMPORARY APPROPRIATIONS CONSIDERED ALLOTMENTS OF
33 FULL-YEAR APPROPRIATION. Upon the governor's approval of any
34 enrolled bill, as passed by both the senate and the house
35 of representatives during the 2015 Regular Session of the

1 Eighty-sixth General Assembly, containing the same line item
2 appropriations or limited standing appropriations for the
3 fiscal year beginning July 1, 2015, and ending June 30, 2016,
4 as made in the temporary appropriations under subsection 2, the
5 amounts of the temporary appropriations shall be considered
6 allotments of the line item appropriations or limited standing
7 appropriations for the full fiscal year beginning July 1, 2015,
8 and ending June 30, 2016.

9 Sec. 2. FISCAL YEAR 2015-2016 CONTINUING APPROPRIATIONS.

10 1. APPROPRIATIONS DETERMINED FROM 2014-2015 LINE ITEM AND
11 LIMITED STANDING APPROPRIATIONS.

12 a. For all line item appropriations, standing limited
13 appropriations, and standing unlimited appropriations otherwise
14 limited by law, including appropriations from federal and
15 nonstate funds, not included in bills passed by both the senate
16 and the house of representatives during the 2015 Regular
17 Session of the Eighty-sixth General Assembly and enrolled for
18 presentation to the governor, the department of management,
19 in consultation with the legislative services agency, shall
20 determine the amount of such line item appropriations, standing
21 limited appropriations, and standing unlimited appropriations
22 otherwise limited by law, including appropriations from federal
23 and nonstate funds, made for the fiscal year beginning July 1,
24 2014, and ending June 30, 2015, by taking into consideration
25 all interdepartmental and intradepartmental transfers made
26 pursuant to section 8.39 and other provisions of law.

27 b. The department of management, in consultation with the
28 legislative services agency, shall also identify the entities
29 to which such appropriations were so made, or the entities'
30 successors.

31 2. CONTINUING APPROPRIATIONS. There is appropriated
32 from the appropriate state fund or account to the entities
33 identified pursuant to subsection 1, for the period beginning
34 July 1, 2015, and ending July 31, 2015, amounts, or so much
35 thereof as is necessary, equal to one-twelfth of the amounts of

1 all line item appropriations, standing limited appropriations,
2 and standing unlimited appropriations otherwise limited by law,
3 including federal and nonstate funds, made for the fiscal year
4 beginning July 1, 2014, and ending June 30, 2015, as determined
5 pursuant to subsection 1.

6 3. DUPLICATIVE STANDING APPROPRIATIONS TEMPORARILY
7 SUPPLANTED. The amounts appropriated under subsection 2 shall
8 supplant, for only the period beginning July 1, 2015, and
9 ending July 31, 2015, any duplicative standing appropriation
10 for the fiscal year beginning July 1, 2015, and ending June 30,
11 2016.

12 4. CARRYFORWARDS TEMPORARILY SUPPLANTED. The amounts
13 appropriated under subsection 2 shall supplant, for only the
14 period beginning July 1, 2015, and ending July 31, 2015, any
15 appropriations carried forward from any previous fiscal year
16 into the fiscal year beginning July 1, 2015, and ending June
17 30, 2016.

18 5. CONTINUING APPROPRIATIONS CONSIDERED ALLOTMENTS OF
19 FULL-YEAR APPROPRIATION. Upon the governor's approval of
20 any enrolled bill, as passed by both the senate and the
21 house of representatives during the 2015 Regular Session of
22 the Eighty-sixth General Assembly, containing the same line
23 items or limited standing appropriations for the fiscal year
24 beginning July 1, 2015, and ending June 30, 2016, as made
25 in the continuing appropriations under subsection 2, the
26 amounts of the continuing appropriations shall be considered
27 allotments of the line item appropriations or limited standing
28 appropriations for the full fiscal year beginning July 1, 2015,
29 and ending June 30, 2016.

30 6. CAPITAL PROJECTS EXCLUDED. This section of this Act does
31 not apply to appropriations for capital projects.

32 Sec. 3. Section 163.15, subsection 1, Code 2015, is amended
33 to read as follows:

34 1. If the secretary of agriculture determines that
35 the outbreak of ~~an~~ the infectious or contagious disease

1 tuberculosis among an animal population constitutes a threat
2 to the general welfare or the public health of the inhabitants
3 of this state, the secretary shall formulate a program of
4 eradication which shall include the condemnation and destroying
5 of the animals exposed to or afflicted with the disease
6 tuberculosis. The program of eradication shall provide for the
7 indemnification of owners of the livestock under this section,
8 if there are no other sources of indemnification. The program
9 shall not be effective until the program has been approved by
10 the executive council.

11 Sec. 4. Section 163.15, subsection 2, unnumbered paragraph
12 1, Code 2015, is amended to read as follows:

13 If an animal afflicted with ~~an~~ the infectious or contagious
14 disease tuberculosis is destroyed under a program of
15 eradication as provided in this section, the owner shall be
16 compensated according to one of the following methods:

17 Sec. 5. Section 163.15, subsection 2, paragraph b,
18 unnumbered paragraph 1, Code 2015, is amended to read as
19 follows:

20 A formula established by rule adopted by the department that
21 is effective as determined by the department in accordance
22 with chapter 17A and applicable upon approval of the program
23 of eradication by the executive council. The formula shall
24 be applicable to indemnify owners if the executive council,
25 upon recommendation by the secretary of agriculture, determines
26 that an animal population in this state is threatened with
27 infection from an exceptionally contagious form of the disease
28 tuberculosis.

29 Sec. 6. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
30 immediate importance, takes effect upon enactment.

31 Sec. 7. RETROACTIVE APPLICABILITY — CONDITIONAL. This
32 Act, if approved by the governor on or after July 1, 2015,
33 applies retroactively to July 1, 2015.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 This bill appropriates moneys for the period beginning July
3 1, 2015, and ending July 31, 2015, to entities identified as in
4 receipt of appropriations for the 2014-2015 or 2015-2016 fiscal
5 year, and provides for other related legal matters.

6 The temporary appropriations made in the bill are equal to
7 one-twelfth of the amounts of all line item appropriations,
8 standing limited appropriations, and standing unlimited
9 appropriations otherwise limited by law, including federal
10 and nonstate funds, made by enrolled bills for the 2015-2016
11 fiscal year. The temporary appropriations are required to be
12 determined by the department of management, in consultation
13 with the legislative services agency, from the annual
14 appropriations made for the 2015-2016 fiscal year, by bills
15 passed by both the senate and the house of representatives
16 during the 2015 regular legislative session and enrolled for
17 presentation to the governor.

18 For all line item appropriations, standing limited
19 appropriations, and standing unlimited appropriations otherwise
20 limited by law, including appropriations from federal and
21 nonstate funds, not included in bills passed by both the senate
22 and the house of representatives during the 2015 regular
23 legislative session, the continuing appropriations made in
24 the bill are equal to one-twelfth of the amounts of all line
25 item appropriations, standing limited appropriations, and
26 standing unlimited appropriations otherwise limited by law,
27 including federal and nonstate funds, made for the 2014-2015
28 fiscal year, by taking into consideration all provisions of law
29 affecting such appropriations, including interdepartmental and
30 intradepartmental transfers.

31 Both the temporary and continuing appropriations temporarily
32 supplant any appropriations carried forward from previous
33 fiscal years. The continuing appropriations also temporarily
34 supplant any duplicative standing appropriation for the
35 2015-2016 fiscal year.

1 Both the temporary and continuing appropriations become
2 allotments of the full-year appropriation amounts upon the
3 governor's approval of the enrolled bills containing the same
4 line item appropriations or limited standing appropriations.

5 The bill provides that the indemnification of owners of
6 certain livestock under Code section 163.15 only applies to an
7 outbreak of the infectious disease tuberculosis.

8 The bill takes effect upon enactment. If the governor
9 signs the bill on or after July 1, 2015, the bill applies
10 retroactively to July 1, 2015.